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Attnorneys for Plaintiff, Ethel Brooks

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION) MDL NO. 1699
) District Judge: Charles R. Breyer
)

This document relates to:)
)
Ethel Brooks,) STIPULATION AND ORDER OF
) DISMISSAL WITHOUT PREJUDICE
Plaintiffs,) ONLY AS TO CASE NO. 05-4542 CRB
)
vs.)
)
Pfizer, Inc., et al.) Defendants)

Case No. 05-4542 CRB

Come now the Plaintiff, Ethel Brooks and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action without prejudice with each side bearing its own attorneys' fees and costs.

Should Plaintiff Ethel Brooks or a representative of Plaintiff attempt to re-file claim against Defendants, they will do so only by re-filing in the United States District Court.

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DATED: September 26, 2006.



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By:
Scott Levensten
Attorneys for Plaintiff, Ethel Brooks

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DATED: September 26, 2006. GORDON & REES



By:
Stuart M. Gordon
Attorneys for Defendants

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: Sept. 29, 2006

Hon. Charles R. Breyer
United States District Court

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